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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,932	12/01/2003	Shih Lung Chien	14076 B	3243

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EXAMINER

BINDA, GREGORY JOHN

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/724,932

Applicant(s)

CHIEN, SHIH LUNG

Examiner

Greg Binda

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Drawings

1. The drawings are objected to as failing to comply:
 - a. 37 CFR 1.83(a) because the drawings fail to show:
 - i. The “middle line” recited at claim 1, line 11.
 - ii. The limitations of claim 2, lines 3 & 4.
 - b. 37 CFR 1.84(h)(1) and 37 CFR 1.84(u)(1) because there is an unidentified part on the sheet containing Fig. 2. The part is not labeled as a separate view, nor is it connected by bracket or other means to the elements in Fig. 2.
 - c. 37 CFR 1.84(p)(5) because Fig. 5 fails to include reference numerals 33 & 34 as described at page 3, line 26 through page 4, line 10.
 - d. 37 CFR 1.84(t) because the drawing sheets are unnumbered.
2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the

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drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because:
 - a. Page 1, line 6 and page 2, line 11 the numeral 4 should be replaced with the word “four”
 - b. Page 1, line 18, the word “can” is misspelled
 - c. Page, lines 16+ includes the nonsensical term “the present invention of a conventional connector”.
 - d. Page 4, lines 3+ mentions “concave bodies 21” but the drawings appear to show slots at the end of the lead lines for reference numeral 21.
 - e. Page 4, lines 4 & 5 includes the nonsensical sentence, “The concave bodies having wider widths at its both ends comparing to the narrow width in the middle.”
 - f. Page 4, line 5 mentions “the narrow width” but does not mention what element this “narrow width” is a width of. Ditto “the middle”
 - g. At page 4, lines 6+ the numeral 32 is used to identify “a inserting hole” but the in Fig. 5 the numeral 32 does not point to a hole, “a inserting” such one or otherwise.
 - h. Page 4, lines 12-14 includes a run-on sentence, a conglomeration of elements separated haphazardly by commas and conjunctions

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- i. The brief description of the drawings fails to mention line A-A which appears in Fig.
7. See MPEP § 608.01(f).

Claim Objections

4. Claims 2-4 are objected to because the term “claim 1” is as capitalized therein.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. Claim 1 is structured incoherently. In the first paragraph a laundry list of elements follows the phrase “it mainly comprises”. The following paragraphs each describe a particular further element. Are these further elements also “mainly comprised” within the “it” in line 1? If claim 1 is an attempt to claim an improvement to a prior art device (i.e. a *Jepson* claim), then see MPEP § 2129 for the proper format for such a claim.
- b. Claim 1, line 1 recites “it” but it is not identified.
- c. Claim 1, lines 4+ recites the term “concave hole”. What is a concave hole? Is there such a thing as a convex hole? The same illogical term is used throughout the description.

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- d. Claim 1, line 4 recites “another end” but does previously recite the end to which this “end” is “another” of.
- e. Claim 1, lines 5+ recites “concave bodies” but the drawings show slots, not concave bodies. See item 3d above.
- f. Claim 1, lines 9+ recites “inserting hole” but the drawings show no such hole. See item 3g above.
- g. Claim 1, lines 9 & 10 recites “a stopping piece having . . . an inserting hole . . . for inserting a ball body”. What does this mean? That the “stopping piece” 10 includes a hole into which is inserted the stopping piece’s ball body 33? That is not what the drawings show.
- h. Claim 1, line 10 recites “another end” but does not identify the element that this end is “another end” of.
- i. Claim 1 recites the limitation "the middle line" in line 11. There is insufficient antecedent basis for this limitation in the claim.
- j. Claim 1, line 12 recites “a concave groove”. It is not clear if this groove is the same as, or different from the concave groove recited at line 7.
- k. Claim 1, line 14 recites the nonsensical phrase “an inner hole which is placed on said inserting hole”
- l. Claim 1, lines 16 & 17 recites that something or some things has or have a reduced production cost, enhanced torque and a wider angle range, but the identity of the element(s) having these qualities is unstated.

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- m. Claim 2 is a run-on sentence. It is conglomeration of elements separated haphazardly by commas and conjunctions. It is not possible to definitively determine the metes and bounds of the claim. See MPEP § 2173.05(h) for the appropriate manner for reciting alternative limitations.
- n. Claim 2, lines 3 & 4 recites “a combination of elastic element and spring”. Is it possible that a spring could itself lack “elastic element”?
- o. Claim 3 recites that the claimed invention will “work best having four pieces”. Is this an attempt by applicant to disclose the best mode for carrying out his invention? Are the “four pieces” positively claimed or are they just suggested?
- p. Claim 4 recites the conditional phrase “can be formed”. Thus all limitations succeeding this phrase are premised on a condition which may or may not exist.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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8. Claims 1-4 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. At page 3, lines 16+ applicant repeatedly describes his invention as "conventional" (i.e. well known and practiced in the art).

9. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Delaney et al, US 2004/0121845. Figs. 1-10 show a universal connector comprising:

an "initiative piece" 12 having a first hole 16 for inserting a tool, a second hole 18 with four slots between four convex bodies 52, and an annular groove 62;

a socket 14 with a locking hole 40 and a ball body 22, the ball body 22 having four protrusions 34, 36; and

a spring 26 disposed in the annular groove 62.

Fig. 5 shows the protrusions 34, 26 form a cross shape.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chadwick, Phipps, Hugh, Habermehl, and Profeta each show a universal connector.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Binda whose telephone number is (703) 305-2869. The examiner can normally be reached on M-F 9:30 am to 7:00 pm with alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Binda
Primary Examiner
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